

1 IN THE CIRCUIT COURT OF RANKIN COUNTY, MISSISSIPPI

2
3 MONICA LEE, ET AL. PLAINTIFF

4
5 VERSUS CAUSE NO. 2022-73

6
7 RANKIN COUNTY, MISSISSIPPI, ET AL. DEFENDANTS
8 *****
9 DEPOSITION OF MONICA R. LEE

10 *****

11 APPEARANCES NOTED HEREIN

12 DATE: OCTOBER 19, 2023
13 PLACE: LAW OFFICE OF TRENT WALKER, ESQ.
14 5255 KEELE STREET, STE A
15 JACKSON, MISSISSIPPI
16 TIME: 9:55 A.M.

17 REPORTED BY: TODD J. DAVIS
18 CSR #1406, RPR

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EXHIBIT 2

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1 MONICA R. LEE,

2 Having been first duly sworn, was examined and
3 testified under oath as follows:

4 EXAMINATION BY MR. DARE:

5 Q. Can you state your full name, including
6 your maiden name, for the record please, ma'am?

7 A. Monica Rochelle Cameron Lee.

8 Q. Ms. Lee, my name is Jason Dare. I'm
9 here to take your deposition. Have you ever given
10 a deposition before?

11 A. No.

12 Q. So I'm sure your counsel have been over
13 this with you, and I just kind of want to go
14 through a few ground rules of depositions.

15 A. Okay.

16 Q. As you notice, we don't have a jury
17 here, and it's in a casual setting. I'm going to
18 ask you questions. One, if you don't understand a
19 question, ask me to rephrase it. Attorneys have a
20 habit of asking very confusing questions. So if
21 you don't understand it, just say, "Can you ask
22 that a different way?" And it won't offend me.
23 Is that all right?

24 A. That's okay.

25 Q. Another one is that we in the south have

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1 couldn't breathe?

2 A. When I walked in, when he was in his
3 back, the whole time he couldn't breathe, he
4 couldn't breathe. Never -- it was just he
5 couldn't breathe.

6 Q. And that was when the first deputy was
7 on Damien's back, correct?

8 A. He was -- correct, yes, sir.

9 Q. And I believe you also said when he was
10 walking out of the house, he also said, "I can't
11 breathe. I'm tired"; is that right?

12 A. Correct.

13 Q. And to David Ruth, you told that you
14 believed it was because of the tussle that they
15 were in; is that right?

16 A. That's right, correct. That's what I
17 told him, yes.

18 Q. Did you personally yourself see either
19 deputy use any force on Damien once he was in
20 handcuffs and subdued?

21 A. The only thing I witnessed is the
22 kneeling in the back and the neck. That's the
23 only thing.

24 Q. No, ma'am.

25 My question was, once he was

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1 handcuffed and subdued, did you personally witness
2 either of the deputies use any force once or after
3 Damien was handcuffed and subdued?

4 A. No, not that I can remember, no.

5 Q. And you agree that Damien actually
6 walked out of the house, correct?

7 A. Yes, with both officers on each side,
8 yes.

9 Q. Right. But Damien was walking and
10 talking at that point in time when he was going
11 out of the house?

12 A. Correct.

13 Q. Do you recall Damien pushing back
14 against the deputies and the deputies pushing
15 forward on him at all as he was walking out of the
16 house?

17 A. No.

18 Q. And to both MBI agents and David Ruth
19 you say that you didn't personally witness either
20 of the deputies put Damien into the patrol
21 vehicle; is that right?

22 A. That's correct.

23 Q. Because you would have gone back in the
24 house, right?

25 A. Correct.

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1 Q. The first time that you ever saw Damien
2 unresponsive was when the deputies had pulled him
3 back out of the vehicle; is that right?

4 A. Correct.

5 MR. DARE: Briefly off the record.

6 (A short recess was taken.)

7 BY MR. DARE:

8 Q. Okay. According to your statement to
9 the MBI agents, one of the deputies was crying
10 after Damien was found unresponsive; is that
11 right?

12 A. Yes, sir.

13 Q. Did you personally see him crying, or
14 was that just your mom that did?

15 A. I seen him standing at the back of the
16 car smoking a cigarette.

17 Q. Was he upset?

18 A. Pretty much, yes, sir.

19 Q. And when you saw him, did you believe
20 that he was genuinely upset about Damien's
21 wellbeing at this point?

22 MR. WALKER: Object to the form. You
23 can answer.

24 BY MR. DARE:

25 Q. Just from what you saw.

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1 A. I don't remember. I don't remember.

2 Q. You would agree with me, would you not,
3 that Simpson General Hospital is much closer than
4 UMMC, right?

5 A. Yes, sir.

6 Q. As you already testified, Simpson
7 General had an ER, did it not?

8 A. Yes.

9 Q. With ER physicians?

10 A. Yes, sir.

11 Q. Good physicians at Simpson General
12 Hospital? You work there.

13 A. I wasn't there then. I don't know.

14 Q. If you know.

15 A. I don't know.

16 MR. WALKER: Would it help if I said
17 that we're not maintaining a lack of medical
18 treatment or a failure to render medical aid
19 on the part of Rankin County?

20 MR. DARE: Or the deputies or with
21 anybody remaining?

22 MR. WALKER: Or anybody remaining. I
23 don't think that's part of our claim.

24 MR. DARE: Got you. I just wanted to
25 make sure.

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1 MR. WALKER: Catouche, am I missing
2 something here or not? Okay, that's not part
3 of our claim.

4 MR. DARE: That will help, and I will
5 move on. Thank you.

6 BY MR. DARE:

7 Q. Other than Pafford and the settlement
8 the plaintiff reached with Pafford and the GoFund
9 Me, has anybody else provided any money as a
10 result of Damien's passing?

11 A. No.

12 Q. You haven't named Sheriff Bryan Bailey
13 in this lawsuit that we're here on today. The
14 defendants are Rankin County, Hunter Edward and
15 Luke Stickman. I want to make sure, one, you
16 don't intend to sue Bryan Bailey; and two, if you
17 do, I want to determine if you have any testimony,
18 any evidence, any knowledge of anything that
19 Sheriff Bailey did or didn't do regarding Damien's
20 passing?

21 MR. WALKER: Let me interject and say
22 that but for any allegations in our pending
23 amended complaint, I don't think we made any
24 allegations with regard to Bryan Bailey. If
25 I am wrong, then that pending amended

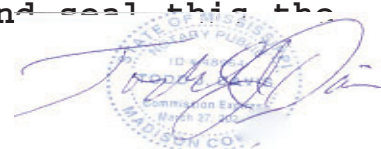
CERTIFICATE OF COURT REPORTER

I, Todd J. Davis, Court Reporter and Notary Public in and for the County of Madison, State of Mississippi, hereby certify that the foregoing pages contain a true and correct transcript of the testimony of MONICA LEE, as taken by me in the aforementioned matter at the time and place heretofore stated, as taken by stenotype and later reduced to typewritten form under my supervision to the best of my skill and ability by means of computer-aided transcription.

I further certify that under the authority vested in me by the State of Mississippi that the witness was placed under oath by me to truthfully answer all questions in this matter.

I further certify that I am not in the employ of or related to any counsel or party in this matter and have no interest, monetary or otherwise, in the final outcome of this matter.

Witness my signature and seal this the 29TH day of OCTOBER, 2023.



TODD J. DAVIS, CSR #1406

My Commission Expires:
March 27, 2025